

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KELLY MANTERIS,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

2:11-cv-00045-PMP-CWH

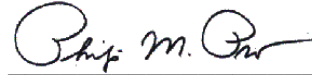
ORDER

Before the Court for consideration is Plaintiff's Addendum to Motion in Limine #4 (Doc. #105). In the Addendum, Plaintiff contends the Court should exclude the testimony of Adam Mandilk and Joe McMahon, the videographers who shot the surveillance videos of Plaintiff. Plaintiff argues that these two witnesses are substantive rather than impeachment witnesses, and therefore should have been disclosed by Defendant in the Joint Pre-Trial Order or in Defendant's Pre-Trial Disclosures. Defendant responds that impeachment evidence does not need to be disclosed, and that the witnesses should be permitted to provide authentication or foundational testimony regarding the surveillance videos.

The witnesses may provide authentication or foundational testimony regarding the surveillance videos, to the extent the surveillance videos are received at trial. However, the Court will reserve ruling on specific objections to these witnesses' testimony to the extent they seek to testify beyond authenticity or foundation at trial.

1 IT IS THEREFORE ORDERED that Plaintiff's Addendum to Motion in
2 Limine #4 (Doc. #105) is hereby DENIED without prejudice to renew specific objections to
3 the testimony of Adam Mandilk and Joe McMahon during trial.

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5 DATED: January 3, 2013

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7 PHILIP M. PRO
8 United States District Judge
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